

Appl. No. 09/905,274
Atty. Docket No. 8609
Amdt. Dated July 1, 2004
Reply to Final Office Action of May 17, 2004
Customer No. 27752

REMARKS

Claim 1 has been amended to remove the limitation "the pushable engagement" and restore the limitation "contact". Support for the current Amendment to Claim 1 is Claim 1, as originally presented. Additionally, Claim 20 has been amended to remove "pushably." No new matter has been presented in amended Claims 1 or 20. Removal of this limitation in both Claims 1 and 20 will reduce the number of issues on appeal by substantively removing the Examiner's rejection to Claims 1 and 20 under 35 U.S.C. §112, ¶2. Claims 1-27 are pending in the instant Application and are presented for the Examiner's review and reconsideration in light of the above Amendments and the following additional comments.

Rejection Under 35 U.S.C. §112

Claims 1-13 and 26 were finally rejected under 35 U.S.C. §112, ¶2 for Applicants' use of the limitation "the pushable engagement" in Claim 1. By Amendment herein, Applicants have removed this limitation from Claim 1 and respectfully request withdrawal of the Examiner's 35 U.S.C. §112, ¶2 rejection.

Rejection Under 35 U.S.C. §102

Claims 1, 2, 4-6, 8, 13-19, 21-23, and 25-27 have been finally rejected under 35 U.S.C. §102(b) over *Levers, et al.*, U.S. Patent No. 3,800,676. Previous arguments made with respect to the *Levers* reference will not be repeated for the sake of brevity but remain in effect. The Examiner is respectfully requested to consider the following additional arguments with respect to the rejection of the claims of the instant Application over the *Levers* reference:

1. Applicants' Claims 1, 14, 21, and 25 all claim a web pleating apparatus comprising, *inter alia*, first and second series of **elongate spaced protuberances**.

2. The *Levers* reference is silent with respect to disclosing first and second series of **elongate spaced protuberances**.

3. *Webster's Third New International Dictionary of the English Language Unabridged* defines "elongate" as "stretched out : lengthened : **having a form notably long in comparison to its width.**" (emphasis added)(Copy enclosed)

4. *Webster's II New Riverside Desk Dictionary* defines "elongate" as "To make or become longer : lengthen." (Copy enclosed)

5. Applicants are at a loss to understand how the *Levers* reference can be construed to disclose elongate protuberances as Applicants require. Additionally, Applicants are also at a loss to

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understand how rolls 24 can be construed as elongate protuberances even if the Examiner "interoperate [sic] elongate as length wise [sic] regardless of [sic] it is patterned or not." (05/17/04 Office Action, p. 7, ll. 4-6) This is especially true since the *Levers* reference states that, "Flexing device 22 as illustrated in the drawing is comprised of a **plurality of roll pairs at least one roll of each pair being circumferentially grooved.**" (3:51-53; emphasis added) The roll pairs are not elongate protuberances.

6. Again, Applicants respectfully remind the Examiner that a roll has an aspect ratio of 1. An elongate device has an aspect ratio greater than 1.

Due to these considerations, the *Levers* reference fails to teach each and every element of Applicants' claimed invention. Further, the *Levers* reference fails to disclose or even suggest Applicants' web pleating apparatus comprising, *inter alia*, first and second elongate spaced protuberances, each converging in a cross-machine direction and interleaving in the Z-direction. Therefore, Applicants respectfully request withdrawal of the Examiner's 35 U.S.C. §102(b) rejection over the *Levers* reference to Claims 1, 14, 21, and 25 and all the claims dependent thereon.

Rejection Under 35 U.S.C. §103

Claims 10-12, 20, and 24 have been rejected under 35 U.S.C. §103(a) over *Levers* in view of Benedict, U.S. Patent No. 2,314,757. Applicants respectfully traverse this rejection. Arguments made previously with respect to the *Levers* and *Benedict* references remain in effect but will not be repeated for the sake of brevity. The Examiner is requested to consider the following arguments with respect to this rejection over Applicants' claims:

1. Applicants' amended Claim 20 claims a filter comprising, *inter alia*, a pleated web formed by providing a pleatable web, transporting the scored web relative to a first and second series of interleaved converging elongate spaced protuberances.

2. As discussed *supra*, the *Levers* reference is silent with respect to providing elongate spaced protuberances.

3. Further, the *Benedict* reference is silent with respect to the formation of a filter with the use of a first and second series of interleaved converging elongate spaced protuberances.

Because of these considerations, the *Levers* and *Benedict* references do not suggest what Applicants claim as their invention. The *Levers* and *Benedict* references fail to disclose, teach, or even suggest, either singly or in combination, every recited feature of Applicants' Claim 20. Further, because Claims 10-12 and 24 all depend directly or indirectly from Applicants' unobvious Claims 1 and 21, they contain all of their respective limitations. For this reason, Applicants submit that the above arguments are equally applicable to the rejection of Claims 10-12 and 24 under 35 U.S.C.

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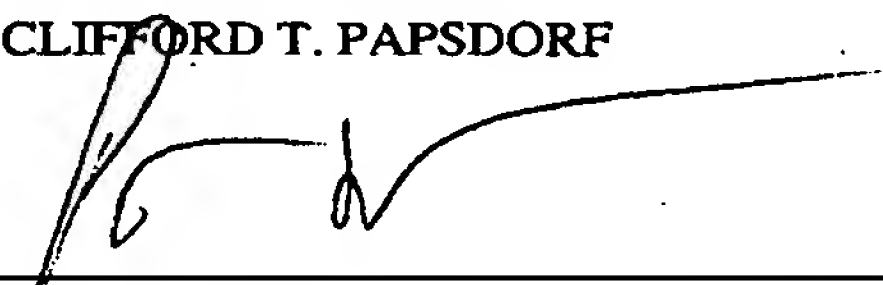
§103(a). Applicants therefore request reconsideration and withdrawal of the Examiner's 35 U.S.C. §103(a) rejection to Claims 10-12, 20, and 24.

Conclusion

Based on all the foregoing, it is respectfully submitted that each of Applicants' remaining claims is in condition for allowance and favorable reconsideration is requested.

This response is timely filed pursuant to the provisions of 37 C.F.R. §1.8 and M.P.E.P. §512. If any additional charges are due, the Examiner is authorized to deduct such charges from Deposit Account No. 16-2480 in the name of The Procter & Gamble Company.

Respectfully submitted,
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 1168 Ger. physician and botanist + NL -*ia*] = a genus of
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 al-shin or al-shin or al-shon [*als(h)sh*] = s [ME *elien*, prob